

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA**

_____)	
In re:)	Chapter 11
)	
MERCY HOSPITAL, IOWA CITY, IOWA, <i>et al.</i> ,)	Case No. 23-00623 (TJC)
)	
Debtors.)	Jointly Administered
)	
_____)	Related to Docket No. [__]

[PROPOSED CONSENT] ORDER (I) AUTHORIZING THE DEBTORS TO (A) ADMINISTER, SETTLE, AND WIND DOWN WORKERS' COMPENSATION PROGRAM, AND (B) PAY ADMINISTRATION EXPENSES FOR WORKERS' COMPENSATION PROGRAM, AND (II) GRANTING RELATED RELIEF

Upon the motion (the "Motion")¹ of the Debtors a for entry of an Order (this "Order"), (i) authorizing the Debtors (a) to transition the Workers' Compensation Program into an administration, settlement, and wind down phase; and (b) to pay all TPA Expenses from the Workers' Compensation SIR Trust; and (ii) granting related relief, all as more fully set forth in the Motion; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Public Administrative Order* referring bankruptcy cases entered by the United States District Court for the Northern District of Iowa; and the matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and venue of this proceeding and the Motion in this District being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court being able to issue a final order consistent with Article III of the United States Constitution; and due and sufficient notice of the Motion having been given under the particular circumstances; and it appearing that no other or further notice is necessary; and it appearing that the relief requested in the Motion is based on sound business purpose, in the best interests of the Debtors, their estates, their creditors, and other

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

parties-in-interest; and with the consent of the State of Iowa, and after due deliberation thereon; and good and sufficient cause appearing therefor; it is hereby

ORDERED, ADJUDGED, AND DECREED that:

1. The Motion is granted on a final basis as set forth herein.
2. The Debtors are hereby authorized to transition the Workers' Compensation Program into an administration, settlement, and wind down phase.
3. The Debtors, Hills Bank, and any other necessary parties are authorized and directed to pay all reasonable, appropriate, and necessary TPA Expenses from the Workers' Compensation SIR Trust. The Iowa Insurance Division reserves its rights to object to payments made from the SIR Trust that are not reasonable, appropriate, or necessary.
4. Notwithstanding Bankruptcy Rule 6004(h), this Order shall be effective and enforceable immediately upon entry hereof.
5. The Debtors are authorized to take all actions necessary to implement the relief granted in this Order.
6. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated and entered this ____ day of March, 2024.

Honorable Thad J. Collins, Chief Judge

Prepared and Submitted By:

NYEMASTER GOODE, P.C.

Roy Leaf, AT0014486
625 First Street SE, Suite 400
Cedar Rapids, IA 52401-2030
Telephone: (319) 286-7002
Facsimile: (319) 286-7050
Email: rleaf@nyemaster.com

- and -

Kristina M. Stanger, AT0000255
Matthew A. McGuire, AT0011932
Dana Hempy, AT0014934
700 Walnut, Suite 1600
Des Moines, IA 50309
Telephone: (515) 283-3100
Fax: (515) 283-8045
Email: mmcguire@nyemaster.com
kmstanger@nyemaster.com
dhempy@nyemaster.com

- and -

MCDERMOTT WILL & EMERY LLP

Felicia Gerber Perlman (admitted *pro hac vice*)
Daniel M. Simon (admitted *pro hac vice*)
Emily C. Keil (admitted *pro hac vice*)
444 West Lake Street, Suite 4000
Chicago, Illinois 60606
Telephone: (312) 372-2000
Facsimile: (312) 984-7700
Email: fperlman@mwe.com
dsimon@mwe.com
ekeil@mwe.com

- and -

Jack G. Haake (admitted *pro hac vice*)
2501 North Harwood Street, Suite 1900
Dallas, TX 75201
Telephone: (214) 295-8000
Facsimile: (972) 232-3098
Email: jhaake@mwe.com

*Counsel for Debtors and
Debtors-in-Possession*

CONSENTED TO BY:

Tyler Eason
Assistant Attorney General
Iowa Department of Justice
1305 East Walnut Street, Second Fl.
Des Moines, IA 50319
ATTORNEYS FOR IOWA INSURANCE
DIVISION AND IOWA INSURANCE
COMMISSIONER, STATE OF IOWA